



# **New Jersey Department of Human Services**

## **Division of Developmental Disabilities**

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### ***Personal Rights***

In New Jersey, your rights cannot be taken away from you when you live in a developmental center or a community residence operated or paid for by the Division of Developmental Disabilities (DDD). The people who manage and work in DDD's residential programs must make sure that your rights are protected and that you are given the help that you need.

These rights shall be explained to every developmentally disabled person over ten years of age and above the severe level of development, in language he or she will understand, and shall, be shared with the parents or guardians of all individuals at or below the severe level of retardation. A copy of this document shall be given to all developmentally disabled individuals and/or to their parents or guardians within five days of admission to services administered by the Division of Developmental Disabilities. This document shall also be visibly displayed in residential and other appropriate areas of DDD and private facilities.

These are not all of the rights to which a person is legally entitled, but DDD is responsible for ensuring that...

#### ***You have the right to:***

- 1. privacy and respect;**
- 2. keep and use your own clothes, money and personal possessions, and to have a place to put them so that no one else may use them;**
- 3. associate with members of the opposite sex;**
- 4. practice the religion of your choice, or choose not to practice any religion;**
- 5. send and receive mail without it being opened or read by other people and to receive assistance, should you want it, reading or writing the letters;**
- 6. make or receive private phone calls during set times;**
- 7. have a healthy diet;**
- 8. have visitors of your choice during established times;**
- 9. request release from a program or transfer to another program;**
- 10. register and vote in all elections;**
- 11. share in developing your "Individual Habilitation Plan" (IHP) [Plan of Care] to determine what supports are needed for you to live your life based on what is important to you;**

- 12. have your IHP and all records about you, kept private, unless you or your legal guardian give permission for someone else to see them;**
- 13. receive regular educational instruction if you are between the ages of 3 and 21 years old, and to participate in learning and recreational activities at any age;**
- 14. receive guardianship services, if you are an adult who needs them;**
- 15. be informed of the condition of your health and to be able to contact your doctor;**
- 16. be free from unnecessary medical tests or treatment;**
- 17. be free from unnecessary restraints or from being isolated, unless in an emergency;**
- 18. be free from physical punishment.**

If you think that your rights have been violated or that someone is keeping you from being able to do the things listed above, tell or write to the person in charge of the facility in which you are living. If you are not satisfied with the answer you receive, then please write to the address listed below.

The rights listed here are from the Developmentally Disabled Rights Act and NJ State statute. New Jersey law states that persons who receive residential services from DDD may not be denied their rights when they are served in a public or private facility. (Updated through P.L. 42 U.S.C. §§ 15001 et seq. - DDRA) and (NJSA 1:1-1, 30:4-165.5, 30:6D-4, 5, 33-41). If any limits are placed upon a person's rights, the reasons for these limits must be documented yearly.

**Jon S. Corzine**

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Division of Developmental Disabilities



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